

**SUPREME COURT MINUTES
MONDAY, AUGUST 19, 2013
SAN FRANCISCO, CALIFORNIA**

S193997**HAYES (CHELSEY) v.
COUNTY OF SAN DIEGO**

Opinion filed

Our response to the Ninth Circuit's question on an issue of state law, as restated by this court, is this: Law enforcement personnel's tactical conduct and decisions preceding the use of deadly force are relevant considerations under California law in determining whether the use of deadly force gives rise to negligence liability. Such liability can arise, for example, if the tactical conduct and decisions show, as part of the totality of circumstances, that the use of deadly force was unreasonable. Whether defendants here acted reasonably is not for us to decide. Our task is limited to answering the state law question of duty that the Ninth Circuit posed to us, a purely legal question; the factual question of any breach of that duty is for the federal courts to resolve in later proceedings.

Majority Opinion by Kennard, J.

-- joined by Cantil-Sakauye, C. J., Baxter, Werdegar, Chin, Corrigan, and Liu, JJ.

S202280

G045118 Fourth Appellate District, Div. 3

**REILLY (KEVIN MICHAEL)
v. S.C. (PEOPLE)**

Opinion filed: Judgment reversed

Based on the foregoing analysis, we reverse the Court of Appeal's judgment and remand the matter to that court for proceedings consistent with our opinion.

Majority Opinion by Chin, J.

-- joined by Cantil-Sakauye, C. J., Kennard, Baxter, Werdegar, Corrigan, and Liu, JJ.

S105403**PEOPLE v. CHHOUN (RUN
PETER) & PAN (SAMRETH
SAM)**

Extension of time granted

Good cause appearing, and based upon counsel Supervising Deputy State Public Defender Kent Barkhurst's representation that he anticipates filing appellant Run Chhoun's opening brief by October 14, 2013, counsel's request for an extension of time in which to file that brief is granted to October 15, 2013. After that date, no further extension will be granted.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631 (d)(1)(A)(ii) & (B)(ii).)

S171393**PEOPLE v. McDANIEL
(DONTE LAMONT)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to October 18, 2013.

S212324

A135185 First Appellate District, Div. 5

**MASON (CAROLINE) v.
PRESBYTERY OF SAN
FRANCISCO**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to August 22, 2013.

S207313**VERDUGO (MICHAEL) v.
TARGET CORPORATION**

Application to appear as counsel pro hac vice granted

The application of Richard P. Caldarone of the District of Columbia, for admission pro hac vice to appear on behalf of respondent Target Stores, is hereby granted. (See Cal. Rules of Court, rule 9.40.)

S210898

D060317 Fourth Appellate District, Div. 1

**PEOPLE v. SMITH (VINCE
BRYAN)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Gregory Canon is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date of this order.

S210965

A131954 First Appellate District, Div. 4

**PEOPLE v. BENDER
(JACORI)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Audrey R. Chavez is hereby appointed to represent appellant on the appeal now pending in this court.

S211708 B247196 Second Appellate District, Div. 7 **TEAL (BENNIE JAY) v. S.C.
(PEOPLE)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Richard B. Lennon is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date of this order.

**BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA
FOR ADMISSION OF ATTORNEYS (MOTION NO. 1,095)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)